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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
NEWARK VICINAGE**

UNITED STATES OF AMERICA,

Plaintiff,

V.

ALDEN LEEDS, INC., *et al.*

Defendants.

Civil Action No. 2:22-cv-07326

**CERTIFICATION OF
JOHN J. MCDERMOTT, ESQ.
IN SUPPORT OF OCCIDENTAL
CHEMICAL CORPORATION'S
REPLY BRIEF IN SUPPORT OF
MOTION TO INTERVENE**

I, JOHN J. MCDERMOTT, being of full age, certify to the following:

1. I am an attorney with Langsam Stevens Silver & Hollaender LLP, counsel for Occidental Chemical Corporation (“OxyChem”), and am admitted to the United States District Court for the District of New Jersey.

2. I have personal knowledge of the facts set forth below.

3. Attached as **Exhibit A** is a true and correct copy of a January 13, 2022 letter from OxyChem to the United States Environmental Protection Agency (USEPA) Region 2 regarding the Diamond Alkali Superfund Site.

4. Attached as **Exhibit B** is a true and correct copy of a June 27, 2022 letter from OxyChem to USEPA in response to EPA Region 2’s letters dated March 2, 2022, and May 31, 2022.

5. Attached as **Exhibit C** is a true and correct copy of a Chronology of Work on Lower Passaic River Remedies with supporting attachments.

6. Attached as **Exhibit C, Attachment 1** is a true and correct copy of an August 18, 2015 letter from William J. Hyatt to Sarah P. Flanagan.

7. Attached as **Exhibit C, Attachment 2** is a true and correct copy of a March 31, 2016 letter from Nicoletta Di Forte to Potentially Responsible Parties.

8. Attached as **Exhibit C, Attachment 3** is a true and correct copy of a April 26, 2016 letter from Nicoletta Di Forte to Benjamin Lippard.

9. Attached as **Exhibit C, Attachment 4** is a true and correct copy of a November 16, 2016 Maxus Project Summary Table.

10. Attached as **Exhibit C, Attachment 5** is a true and correct copy of a September 29, 2016 email from Walter Mugdan to Mike Anderson.

11. Attached as **Exhibit C, Attachment 6** is a true and correct copy of a April 2022 Quarterly Progress Report from Glenn Springs Holdings, Inc. to USEPA.

12. Attached as **Exhibit C, Attachment 7** is a true and correct copy of Occidental Chemical Corporation's October 27, 2022 Fifth Supplemental Answer to Standard Interrogatory 22 served in *Occidental Chemical Corp. v. 21st Century Fox America, Inc., et al.*, Civil Action No. 2:18-cv-11273 in the United States District Court for the District of New Jersey.

13. Attached as **Exhibit C, Attachment 8** is a true and correct copy of a March 2, 2022 letter from Eric J. Wilson to Potentially Responsible Parties.

14. Attached as **Exhibit C, Attachment 9** is a true and correct copy of a March 10, 2022 letter from counsel for OxyChem to private entities identified in USEPA's March 2, 2022 letter.

15. Attached as **Exhibit C, Attachment 10** is a true and correct copy of a March 10, 2022 letter from counsel for OxyChem to public entities identified in USEPA's March 2, 2022 letter.

16. Attached as **Exhibit D** is a true and correct copy of a September 23, 2022 letter from counsel for OxyChem to USEPA regarding the late disclosure of documents by The Sherwin-Williams Company.

17. Attached as **Exhibit E** is a true and correct copy of a September 29, 2022 letter from counsel for OxyChem to USEPA regarding the September 27, 2022 deposition of The Sherwin-Williams Company's corporate representative.

18. Attached as **Exhibit F** is a true and correct copy of a December 13, 2022 letter from counsel for OxyChem to USEPA regarding additional information about The Sherwin-Williams Company.

19. Attached as **Exhibit G** is a true and correct copy of the 2016 Administrative Settlement Agreement and Order on Consent for Remedial Design for Operable Unit Two of the Diamond Alkali Superfund Site (Region 2, CERCLA Docket No. 02-2016-2021).

20. Attached as **Exhibit H** is a true and correct copy of the costs disclosed by parties for work in Operable Unit 4 of the Diamond Alkali Superfund Site, with relevant excerpts of those parties' disclosures.

Dated: January 24, 2023

By: /s/ John J. McDermott
John J. McDermott, Esq.